

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
SYRACUSE DIVISION**

CNY FAIR HOUSING, INC., *et al.*

Plaintiffs,

v.

WELLTOWER INC., *et al.*

Defendants.

Civ. Case No. 5:21-cv-00361-BKS-ML

DETAILED REPORT IN RESPONSE TO COURT’S DECEMBER 27 ORDER

On December 27, 2022, the Court issued a Text Order (Dkt. 61) (“December 27 Order”), stating in relevant part:

“(3) Joint Motion [60] is DENIED, without prejudice. Prior to the Court entertaining any motion for extensions of any deadlines as set forth in Dkt. No. [49], the Court requires detailed information from the parties and directs the parties to advise in detail the status of Plaintiffs filing any motion to amend complaint, including seeking class action status, and Defendants position as to all such motions. The parties shall file detailed reports by 1/3/2023 and Plaintiffs shall specifically set forth its intentions and timing of any such motion to amend the complaint. The parties previously mentioned in Status Reports [54], [57] such intentions by Plaintiffs but have failed to mention anything further in Motion [60] and have failed to keep this Court informed of any such forthcoming motion. The Court also notes that the deadline to file motions to amend pleadings expired on 8/12/2022. See Dkt. No. [49]. All schedules and deadlines in Dkt. No. [49] remain in effect. SO ORDERED by Magistrate Judge Miroslav Lovric on 12/27/2022.”

In response to the aforementioned portion of the Court’s December 27 Order, Plaintiffs confirm that they have decided not to file a motion to amend the complaint to add class allegations. Plaintiffs also confirm that they have decided not to otherwise amend the complaint, except that Plaintiffs may file a motion for substitution of parties in light of the death of Lois Harter, as required by Federal Rule of Civil Procedure 25(a)(1).

Dated: January 3, 2023

/s/ Reed Colfax

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of January, 2023, a copy of the foregoing Detailed Report in Response to Court's December 27 Order was filed using the CM/ECF system for the Northern District of New York, which shall serve as notice of filing on all counsel of record.

/s/ Reed Colfax

Reed Colfax

Attorney for Plaintiffs